STATE OF IDAHO, DEPARTMENT OF AGRICULTURE
DIVISION OF AGRICULTURAL RESOURCES

IN REGARD TO THE SMOKE MANAGEMENT AND CROP RESIDUE DISPOSAL ACT	)	**2006 DETERMINATION REGARDING ECONOMICALLY VIABLE ALTERNATIVES TO THERMAL DISPOSAL OF CROP RESIDUE**

INTRODUCTION

This 2006 Determination Regarding Economically Viable Alternatives to Thermal Disposal of Crop Residue ("Determination") is issued pursuant to the Smoke Management and Crop Residue Disposal Act ("Smoke Management Act") codified at Idaho Code § 22-4801 *et seq.* Idaho Code § 22-4803(1) allows the open burning of crop residue when, among other things, there are no other economically viable alternatives to burning. I am responsible, pursuant to Idaho Code § 22-4803(1) for making the determination regarding economically viable alternatives. The Smoke Management Act does not require an annual determination, however, because I understand that scientific research is ongoing in the area of crop residue disposal it is important to evaluate the available data on a consistent basis.

As in previous years, the Idaho State Department of Agriculture ("ISDA") solicited comments regarding economically viable alternatives to field burning in April and May of 2006. The ISDA received 34 comments related to the topic of field burning in response to the solicitation. The basis for this Determination is those comments received from the public and the available scientific and economic research compiled by my staff..

PARAMETERS OF THIS DETERMINATION

The Smoke Management Act provides for the open burning of agricultural crop residue in Idaho. Idaho Code § 22-4803(1) provides:

AGRICULTURAL FIELD BURNING. (1) The open burning of crop residue grown in agricultural fields shall be an allowable form of open burning when the provisions of this chapter, and any rules promulgated pursuant thereto, and the environmental protection and health act, and any rules promulgated pursuant thereto, are met, and when no other economically viable alternatives to burning are available, as determined by the director, for the purpose of:

(a) Disposing of crop residues;
(b) Developing physiological conditions conducive to increased crop yields; or
(c) Controlling diseases, insects, pests or weed infestations.

I apply the term "economically viable alternative" as it is defined by Idaho Code § 22-4801(7).

FACTUAL RECORD SUPPORTING THIS DETERMINATION

My staff has compiled an extensive amount of information related to crop residue disposal, including e-mails, letters, memoranda and other documents received from the public in support of past Economically Viable Alternative Determinations. In anticipation of this Determination, my staff has continued compiling information and scientific and economic research not previously compiled. An index comprising the list of the latter information and research appears as an attachment to this Determination. This Determination is based on all of these materials.

SUMMARY AND FINDINGS

I have reviewed all of the information provided in 2006. I have assessed this new information against materials considered in prior Economically Viable Alternative Determinations. Most important among the new information are summaries of on-going field studies related to the feasibility of field burning alternatives for Kentucky bluegrass stands which are being conducted by University of Idaho researchers. Specifically, Dr. Donald Thill, a University of Idaho Professor of Weed Science submitted a draft copy of a report titled "Economic Analysis of Experimental Thermal and Non-Thermal Residue Management Systems for Kentucky Bluegrass Seed." This draft report showed positive net returns for Kentucky bluegrass test plots where burning was used to remove residue. This draft report also showed negative net returns on those test plots where burning was not used, or where burning was used in rotation with mechanical disposal. Based on the current economic analysis compiled from data gathered at the University of Idaho's long-term research plots, Dr. Thill concluded, as he did in 2004 and 2005, that "currently there are no proven economically sustainable, non-thermal residue management systems available for use by Idaho's Kentucky bluegrass seed producers."[1] Dr. Thill also described a new grazing study that was initiated in Latah County in the spring of 2004. According to Dr. Thill, this study "will require 2 to 4 more years of field research to complete the economic analysis of these alternative crop residue management systems."

Based upon the record described above, I find that no economically viable alternatives to field burning currently exist for Idaho producers. I renew the findings I made in 2003, 2004 and 2005 with respect to the lack of an economically viable alternative to thermal disposal of crop residue disposal and incorporate the 2003, 2004 and 2005 Economically Viable Alternative Determinations, together with their underlying factual records, by reference here.

DATED this 13th day of July, 2006

Patrick A. Takasugi
Director, Idaho State Department of Agriculture

1. Letter from Dr. Donald Thill, Professor of Weed Science, University of Idaho, College of Agriculture and Life Sciences, to Director Patrick A. Takasugi, Idaho State Department of Agriculture, dated May 8, 2006 (on file with ISDA).

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Legend:
C - Comments IR - Independent Research UR - University Research

Revision: May 27, 2006